

WISCONSIN DEPARTMENT OF PUBLIC INSTRUCTION
Community Nutrition Programs
Child and Adult Care Food Program

Guidance Memorandum D: For Sponsoring Organizations of the Child and Adult Care Food Program (CACFP) in Day Care Homes

Topic: Sponsoring Organization Requirements for Monitoring Day Care Homes

Date: April 2009

1. Preapproval Visit

Prior to approval, homes that have not participated in the CACFP under the sponsorship of your organization must be visited to insure that the food service facilities in the home are adequate and to orient the provider to the CACFP meal requirements and reporting responsibilities. The sponsor must document preapproval visits and maintain a copy on file.

2. Reviews

All home providers must be reviewed three times each federal fiscal year (October 1 – September 30), unless the home does not operate year round (see below for the applicable pro-ration in such cases). At least two of the three reviews must be unannounced, with at least one of the unannounced reviews including the observation of an approved meal service. Unannounced reviews must be made only during the home's normal hours of child care operations, and monitors making such reviews must have photo identification and proof of affiliation with the sponsoring organization.

If in a review of the home a sponsoring organization detects one or more serious deficiencies, the next review of that home must be unannounced. Serious deficiencies for day care homes are:

- a. Submission of false information on the application;
- b. Submission of false claims for reimbursement;
- c. Simultaneous participation under more than one sponsoring organization;
- d. Non-compliance with the Program meal pattern;
- e. Failure to keep required records;
- f. Conduct or conditions that threaten the health or safety of a child(ren) in care, or the public health and safety;
- g. A determination that the day care home has been convicted of any activity that occurred during the past seven years and that indicated a lack of business integrity. A lack of business integrity includes fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice, or any other activity indicating a lack of business integrity as defined by the State agency, or the concealment of such a conviction;
- h. Failure to participate in training; or
- i. Any other circumstance related to non-performance under the sponsoring organization-day care home agreement (P1-1425), as specified by the sponsoring organization or the State agency.

All reviews must assess compliance with CACFP regulations, meal pattern criteria (components and quantities), and record keeping requirements. Written documentation of areas of noncompliance found on the review must include a plan for corrective action and a deadline for completion. The sponsor must record a summary of the action taken on a follow-up visit. A copy of each completed review is to be maintained in the sponsoring organization's files, and a copy should be left with the provider. The sponsoring organization must maintain copies of reviews for three years after the end of the fiscal year to which they pertain.

The first review shall be completed within the first four weeks of program operation. The first review requirement is designed to ensure that facilities that are new to the CACFP receive an early review from their sponsor, to minimize the possibility that the facility is making critical errors that could result in large overclaims. The first review requirement also applies to a facility that changes sponsors (insofar as that facility is a "new participant" in the sponsorship to which it has transferred) or to a facility that re-enters the CACFP after a break in Program

participation. If a newly enrolled facility does not have any children in care yet, the first review must be conducted and documented within four (4) weeks of when the sponsor has been notified that children are now enrolled in the home, or within four (4) weeks of the sponsor receiving a first claim from the day care home provider, whichever event occurs first.

Reviews shall be made not less frequently than three times per year and no more than six months shall elapse between reviews. Effective October 1, 2004 sponsors, at their discretion, may “average” the reviews of their homes. The intent of this change is to permit sponsors to focus their review efforts on homes that are more likely to commit errors (i.e., newer homes and homes with a history of operational problems). The sponsor must inform the DPI that it will use the “review averaging” option and, to facilitate the DPI review of sponsor monitoring, must also describe how it plans to implement the review averaging option.

Sponsors electing this option must conduct the same total number of annual reviews (three times the number of facilities they sponsor) as before, but may arrive at that number by reviewing some homes twice a year, and other facilities more than three times per year. However, each facility must receive two unannounced reviews per year, with the first review in the next review year (i.e. federal fiscal year) occurring no more than nine months after the previous review. The second interim rule at § 226.16(d)(4)(iv) prohibits a facility from receiving less than three reviews per year if the facility has submitted a block claim during the review year.

If a home does not operate year round, the number of reviews can be prorated based on the number of operating months (i.e. months in which a claim has been submitted) during the fiscal year. If a home operates one or more days in a given month, count that as an operating month. The number of reviews required would be as follows:

<u>Months of Operation</u>	<u>Day Care Home Reviews</u>
1-4	1
5-8	2
9-12	3

Sponsoring Organizations may either use the attached sample review form or submit their own form to DPI for approval prior to implementation of the form. Review forms must include at a minimum documentation of the following information:

1. Date of review;
2. Time of review - beginning and ending;
3. Type of review (announced or unannounced);
4. Assessment of whether the home has corrected problems noted on the previous reviews(s);
5. Assessment of record maintenance requirements;
(Attendance records (as defined by the relevant State of Wisconsin licensing and/or certification regulations), CACFP enrollment forms, menus and meal counts must be on file in the home for the current month plus the prior 12 months. Offsite storage for the remaining two years of records is permitted.)
6. Reconciliation of the home's meal counts with enrollment and attendance records for a five day period;
 - (a) Reviewers must examine the meal counts recorded by the home for the immediate five prior operating days during the current and/or prior claiming period;
 - (b) For each day examined, reviewers must use enrollment and attendance records to determine the number of children in care during each meal service and attempt to reconcile those numbers to the numbers of breakfasts, lunches, suppers, and/or snacks recorded in the home's meal count for that day;
 - (c) Based on that comparison, reviewers must determine whether the meal counts were accurate. If there is a discrepancy between the number of children enrolled or in attendance on the day of the review and prior meal counting patterns, the reviewer must attempt to reconcile the difference and determine whether the establishment of an overclaim is necessary.

If a reconciliation of the immediate 5 prior days of operations cannot be completed due to incomplete and/or missing attendance records, the reviewer must note this on the review form, detail what additional action(s) were taken, and the sponsoring organization must notify the responsible regulatory agency as to the incomplete and/or missing attendance records. The reviewer must also document on the review form the date that the regulatory agency was notified of the concern(s) regarding the attendance records.

7. Assessment of the home's compliance with the Program requirements pertaining to:
- (a) The meal patterns;
 - (b) Licensing or approval;
(Note, if the provider's home is over capacity as defined by their applicable regulation, the sponsoring organization must notify the responsible regulatory agency of the over capacity concern identified in the home and note this action, including the date of notification to the regulatory agency, on the review form.)
 - (c) Attendance at training;
 - (d) Meal counts;
 - (e) Menu and meal records; and
 - (f) The annual updating and content of enrollment forms specific to the CACFP.
 - i. Enrollment forms must be updated annually, signed by a parent or legal guardian, and include information on each child's normal days and hours of care and the meals normally received while in care. (A current address and phone number of the parent/guardian must also be on file, either on the CACFP enrollment form or another sponsor document.)
 - ii. If the child is of school age and attends the day care home both before and after school, the enrollment form must detail the child's normal hours in care both before and after school, or the enrollment forms must provide sufficient detail to permit the monitor to make a reasonable assessment about the validity of the home's meal counts. For example: "Child in care from 7am-5pm but will usually be present only for breakfast and PM snack." "7-5" without info about the meals normally received would imply that the child is likely to receive 2 meals and a snack, whereas 7-9 and 3:30-5 would convey more precise information.

All home reviews conducted on and after October 1, 2004 must be documented with a review form which includes all the above elements, including a reconciliation of meal counts. This is necessary in order to comply with the requirements of the 2nd Interim CACFP Rule, effective October 1, 2004.

3. Detection of Block Claiming Pattern(s)

If a block claiming pattern is detected on a submitted claim for reimbursement the sponsor must ensure that the day care home receives an unannounced visit within 60 days of receipt of the claim (or within 90 days if granted an extension by the DPI). A block claim is defined as a claim for reimbursement on which the number of meals claimed for one or more meal types is identical for 15 consecutive days within a claiming period. If, in the course of conducting this unannounced visit, the sponsor determines that there is a persuasive, logical explanation for the day care home to regularly submit a block claim for the meal type(s) detected in the claim, the sponsor must note this in the day care home's review file and is not required to conduct any future block claim validation visits if other block claims for this meal type(s) are detected during the current federal fiscal year. In addition, any day care home which submits a block claim must receive a minimum of three complete reviews (or a pro-rated number if the home operates for less than 12 months in a given federal fiscal year) for the federal fiscal year in which the block claim(s) was detected. Finally, an unannounced visit in response to the detection of a block claim cannot be counted by the sponsor as one of the three required yearly reviews unless a comprehensive review is conducted (and documented) that covers all the review elements as required at 7 CFR 226.16(d)(4)(i) and (ii).

In certain circumstances a sponsoring organization is permitted to evaluate and document a valid reason for a block claim prior to the submission of the claim. This is regarded as "prevalidation" of a block claiming pattern. The sponsor will be exempt from conducting the required "block claim related" follow up visit (normally required to be conducted within 60 days of detecting the block claim) for the remainder of the current review year (defined as the federal fiscal year [FFY]) if the following four conditions exist:

1. The visit must be unannounced;
2. The claim being reviewed must not have been submitted yet;
3. 15 or more operating days of meal count data within a single claim month must be reviewed; and
4. A valid reason must be determined and documented which explains why the block claim is legitimate.

Each sponsoring organization should have a mechanism in place so that information on validated block claims is communicated to the administrative staff that processes the claims. Proper use of the above procedures should provide effective oversight of Program integrity while also promoting efficient use of sponsor resources.

The block claim requirement is specific to each meal type. If a block claim pattern is validated, a sponsor must document which meal type(s) the validation applies to, and must clearly and specifically document why the block claim pattern is legitimate for that specific meal type(s). If a legitimate reason exists which indicates that the validated block claiming pattern may occur in the future, with another meal type, this should be validated and documented as well, thus relieving the sponsor from conducting block claiming related unannounced visit(s) for

the meal(s) specific block claim that has not yet occurred during that FFY but which may legitimately appear on future claims submitted during the current FFY.

There are four (4) valid reasons for the existence of a block claim. These are:

1. The home provides drop-in care and is always filled to capacity each day it operates;
2. The provider's policy is to accept children even when they are ill;
3. A day care home with a very small enrollment, or
4. An analysis of the meal counts versus number of children present on day of visit, in conjunction with a review of the home's CACFP enrollment forms and/or attendance records, indicates the block claiming pattern as valid.

Block claim validations based on acceptance of ill and/or drop-in children must be based on verification within the providers' written enrollment policies, by communication with the licensing specialist or certifier, or via another method, such as household contacts or a certification statement from the monitor indicating that the monitor has previously seen ill and/or drop-in children in the home and can certify that this is a legitimate policy of the day care home provider. Simply accepting a provider's verbal assurance that the home enrolls ill and/or drop-in children is not in and of itself sufficient documentation to indicate a valid block claiming pattern.

The reason(s) for a block claim must be specific to that day care home provider and must be well-documented by the monitor. Examples of invalid reasons for a block claim are: "children are never sick" or "the provider has legitimate reasons". These types of reasons do not provide enough information to justify the occurrence of a block claim.

A provider who submits a claim which exhibits a block claiming pattern that was not pre-validated during a previous unannounced visit in the current review year, and/or a provider that submits a claim which exhibits a block claim at a different meal (which was not pre-validated during a previous unannounced visit) must receive an unannounced visit within 60 days of the detection of the block claim (or within 90 days if granted an extension by the DPI), as detailed in Guidance Memorandum N, Rev. 7-05.

Unsuccessful Validation

If no persuasive explanation can be validated for the block claiming pattern the provider must be declared seriously deficient. If the sponsor is unsure the first unjustified block claim was intentional, the sponsor must provide (and document) technical assistance on the proper method for counting and recording of meals. If a second unjustified block claim occurs the sponsor must then declare the provider seriously deficient. (*Federal Register, September 1, 2004, page 53519*)

There may be situations where, during the same unannounced visit, a sponsor is attempting to validate more than one monthly claim which exhibits a block claiming pattern(s). For example, a claim is received for a month following the month when a block claim was first received but before the 60 or 90 days to conduct an unannounced visit has elapsed. No persuasive explanation exists for the block claiming pattern(s) detected on the first claim, but the sponsor is unsure the unjustified block claim on the first submitted claim was intentional. Additional actions beyond providing technical assistance must take place in these situations. These additional actions may include (but are not limited to) more frequent home visits, household contacts, fiscal disallowance and/or assessment of an overclaim, a declaration of serious deficiency, or other action(s) as deemed appropriate by the sponsor. The above policy on unsuccessful validations of multiple, consecutive claims crosses federal fiscal years.



PROVIDER NUMBER _____

CHILD AND ADULT CARE FOOD PROGRAM DAY CARE HOME REVIEW FORM (Revised 4/09)

Date of Review: _____ Type of Review: AN UN Arrival Time: _____ Departure Time: _____		
Tier I <input type="checkbox"/>	Tier II <input type="checkbox"/>	Tier II Mixed (with Income Eligibility Applications) <input type="checkbox"/>
1. Name of Sponsor:		Agreement Number:
2. Name of Provider: Telephone Number:		Address:
3. Reviewer(s):		

4. A copy of the current sponsor/provider agreement is on file at the provider's home. ☐ YES ☐ NO
- 5a. License Information
Expiration Date: _____ Capacity: _____ Other: _____
- 5b. Certification Information
Expiration Date: _____ Capacity: _____ Other: _____
6. Complete the following chart.

Hours of Organized Care: _____	__Sun.__Mon.__Tues.__Wed.__ Thurs.__Fri.__Sat.	Holiday Care: <input type="checkbox"/> Yes <input type="checkbox"/> No Evening Care: <input type="checkbox"/> Yes <input type="checkbox"/> No
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Approved Meal Service Types

☐ Breakfast
 ☐ AM Snack
 ☐ Lunch
 ☐ PM Snack
 ☐ Supper
 ☐ Evening Snack

Meal Observed:

Meal Service Time Observed:

ATTENDANCE AND ELIGIBILITY DATA

Full Name of All Children in Attendance	Age	CACFP Enrollment Forms		Provider's Own Child	Meal Participant	Meal Claimed
		Complete Data	Annual Update			
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
TOTALS						

Child Care Enrollment Forms	YES	NO	N/A	COMMENTS
6a. Do the child care enrollment forms provided by the sponsoring organization include a statement declining the CACFP?				
6b. If 6a is "Yes", does the provider have on file a cover memo signed by the parent/guardian of each enrolled child? (The sponsor may conduct a monthly query and follow-up in lieu of the cover memo.)				

DAY CARE HOME REVIEW FORM

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ATTENDANCE AND ELIGIBILITY DATA	YES	NO	N/A	COMMENTS
7. The observed meal was served at the approved, scheduled time. If "NO" explain.				
8. The provider is at/within licensed/certified capacity, and provider/child ratio.				
9. The children in attendance and participating in the meal service have complete and current (i.e. less than 1 year since updating) CACFP enrollment forms, including each child's normal days and hours in care, and the meals normally received in care. If "NO", explain and document required corrective action.				
10. The meals claimed are served to children who are within regulatory age limits. If "NO", explain.				
11. Meals served to the provider's own children are claimed only if the child is enrolled, eligible and other enrolled children are participating in the meal service. If "NO", explain.				
12. The provider charges separately for meals. If "YES", explain.				
CIVIL RIGHTS	YES	NO	N/A	COMMENTS
13. The provider allows all children equal access to its child care services and facilities regardless of race, color, sex, age, disability or national origin. If "NO", explain.				
14. The provider serves meals to all enrolled children equally regardless of the child's race, color, sex, age, disability or national origin. If "NO", explain.				
15. The nondiscrimination Statement and complaint procedures are included in provider advertisements when referencing admissions and/or the CACFP.				
HEALTH/SAFETY/SANITATION	YES	NO	N/A	COMMENTS
16. The refrigeration units are clean and maintained at required temperatures.				
17. Food is properly stored in the refrigeration units and in dry areas.				
18. Cleaning supplies and other toxic materials are safely stored out of the reach of children and away from food.				
19. There is no evidence of rodent or insect infestation, or obvious fire, health and/or safety hazards observed.				
20. Food service was conducted in compliance with generally accepted health and sanitation practices.				
21. The provider and children wash hands prior to food handling and eating.				
SPONSOR TRAINING/MONITORING	YES	NO	N/A	COMMENTS
22. List the date of the last sponsor conducted training session the provider attended:				
23. The provider felt the sponsor training was helpful, and has implemented information provided. If "NO", explain.				
24. The sponsor is responsive to the provider's questions and concerns. If "NO", explain				
25. Provider recommendations for future training topics/needs or training improvement ideas are:				
26. List problem(s) identified during the last review and determine if effective corrective action has been implemented. If "NO", explain. Problems: _____ _____				

DAY CARE HOME REVIEW FORM

TIERING METHOD OF REIMBURSEMENT	YES	NO	N/A	COMMENTS
27. The provider was notified of the reimbursement options: Tier I or Tier II. If it is a Tier II home, the provider requested the sponsor to collect income eligibility forms.				

DAY OF REVIEW - OBSERVATION OF MEAL SERVICE

28. Record the food items.

1-12 Year Olds		Infants			
Meal Components	Food Item	Meal Components	Food Item		
			Birth - 3 Months	4 - 7 Months	8 - 11 Months
Milk		Iron Fortified Formula/ Breast Milk			
Meat/Meat Alternate		Meat/Meat Alternate	n/a	n/a	
Fruit or Vegetable		Fruit or Vegetable	n/a		
Fruit or Vegetable		Iron Fortified Infant Cereal	n/a		
Grain/Bread		Crusty Bread or Crackers	n/a	n/a	
Other		Other			

DAY OF REVIEW - OBSERVATION OF MEAL SERVICE	YES	NO	N/A	COMMENTS
29. The menu documentation corresponds to the meal observed. If "NO", explain.				
30. The meal observed contains all required components. If "NO", list the number of meals missing components and describe technical assistance provided.				
31. It appears that the required quantities of food items are prepared, available and served. If "NO", list the components prepared and served in insufficient quantities and describe technical assistance provided.				
32. The observed meal provides a variety of colors, temperatures, textures, shapes, sizes and flavor. If "NO", explain.				
33. The meal service occurs in a positive/pleasant environment. If "NO", explain.				
34. Medical Statements are on file for all substitutions related to medical needs. If "NO", explain.				
35. At least one component of the infant meal pattern is supplied by the provider as the child is developmentally ready.				
36. Separate, daily, dated menus for children and infants are available and up-to-date at the provider's home, for all approved/claimed meals for the current month. If "NO", explain.				

DAY CARE HOME REVIEW FORM

DAY OF REVIEW - MEAL COUNTS			YES	NO	N/A	COMMENTS
37. Based on reviewer observations and discussion with the provider, is an accurate meal count taken no later than the end of the day? If "NO" explain and describe the technical assistance provided.						
38. List the meal counts for the same meal type observed on the day of the visit for the immediate 5 prior operating days. If no meal is observed, list counts for meal served closest to time of review. Day of Review Meal Count: _____ Meal Type: _____						
Day	Date	# of Meals Recorded				
DAY OF REVIEW - MEAL COUNTS			YES	NO	N/A	COMMENTS
39. Do the meal counts for the immediate five prior operating days appear reasonable when compared to today's meal count, as well as to the home's CACFP enrollment forms and the attendance records? If "NO", obtain and record an explanation and the required corrective action.						
MISC			YES	NO	N/A	COMMENTS
40. Attendance records, CACFP enrollment forms, menus and meal counts are on file onsite in the home for the current month plus the prior 12 months, with the remaining 24 months of records on file onsite or in offsite storage? If "No", explain and document required corrective action.						
41. The provider distributes the Parental Notification flier to all newly enrolling households? If "No", explain and document required corrective action.						
42. Parents of enrolled children annually receive information on the importance and benefits of WIC and WIC income eligibility guidelines. If "No" explain and document required corrective action.						
SUMMARY OF FINDINGS						
Review Item #	Brief Description of Finding	Corrective Action (C.A.) Needed	C.A. Due Date	Follow-up Visit Date	Date Corrected	

Provider Signature: _____

Date: _____

Reviewer Signature: _____

Date: _____